

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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STEVEN GOLDSTEIN, individually and on behalf
of CONGREGATION BNEI MATSYAHU, and MEIR
ORNSTEIN,

Plaintiffs,

22-CV-8300

-against-

ANSWER

KATHY HOCHUL, in her official capacity as Governor of the State of New York; LETITIA JAMES, in her official capacity as Attorney General of the State of New York; KEECHANT SEWELL, in her official capacity as Commissioner of the New York City Police Department; LOUIS FALCO III, in his official capacity as Rockland County Sheriff; ERIC GONZALEZ, in his official capacity as the District Attorney of Kings County; and THOMAS WALSH II, In his official capacity as the District Attorney of Rockland County,

Defendants.

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As and for their answer to the Complaint, Defendants THOMAS WALSH II, as District Attorney of Rockland County, and LOUIS FALCO III, as Rockland County Sheriff, sued in their official capacities, by their attorney, THOMAS E. HUMBACH, County Attorney, Rockland County Department of Law, respectfully allege the following upon information and belief:

1. Defendants admit the allegations in paragraphs 12, 13, 14, 16, and 17 of Plaintiffs' Complaint and refer all questions of law to the Court.
2. Defendants deny the allegations in paragraphs 19, 24, 25, 26, 68, 84, 85, 86, 87, 88, 91 through 110, 113 through 122, 124 through 135, 139, 140, 141 of Plaintiff's Complaint.
3. Defendants deny the allegations in paragraphs 20, 21, 22, 27, 28, 69 through 83, 89, 90, 123, 136, 137, 138 of Plaintiff's Complaint and refer all questions of law to the Court.

4. Defendants deny knowledge or information sufficient to admit or deny the allegations in paragraphs 1 through 11, 15, 18, 23, 29 through 67, 111, and 112 of the Plaintiffs' Complaint.

5. The statements made in WHEREFORE of the Complaint require no response.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

6. The Complaint fails to state a claim upon which relief can be granted.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

7. The Complaint fails to state a claim against Defendants Thomas Walsh II, District Attorney of Rockland County, and Louis Falco III, Rockland County Sheriff.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

8. If there have been injuries and/or damages sustained, they were in whole or in part the result of Plaintiffs' culpable conduct.

AS AND FOR A FOURTH AFFIRMATIVE DEFENSE

9. If there has been any injuries or damages as alleged in the Complaint, such injuries and damages were caused, in whole or in part, or were contributed to by reason of the carelessness, negligence or want of care on the part of some other party or persons, firm, corporation, or their agents, servants or employees, over whom Defendants, Thomas Walsh II or Louis Falco III, had no control and for whose carelessness, negligence or want of care Defendants were not and are not responsible or liable.

AS AND FOR A FIFTH AFFIRMATIVE DEFENSE

10. Res Judicata. The Plaintiffs' Complaint has been decided in another court involving the same issues and is unable to seek a different result due to Res Judicata.

WHEREFORE, Defendants demand judgment in their favor and against Plaintiffs as follows:

- A. Dismissing Plaintiffs' Complaint against Defendants Thomas Walsh II, District Attorney of Rockland County, and Louis Falco III, Rockland County Sheriff.
- B. Awarding attorney's fees and costs; and
- C. Any other relief this Court deems just, proper, and equitable under the circumstances.

Dated: July 18, 2025
New City, New York

THOMAS E. HUMBACH
County Attorney
Attorney for Defendants
Thomas Walsh II & Louis Falco III
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